

Please, type a plus sign (+) inside this box → [X]

PTO/SB/05 (11/00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Attorney Docket No. 830010-2002.2
First Inventor Gavril W. Pasternak
Title TOPICAL ANESTHETIC/OPIOID FORMULATIONS AND USES THEREOF
Express Mail Label No. EL861104765US

For new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 29]
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix.
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. ☒ Oath or Declaration [Total Pages 1]
☐ Newly executed (original or copy)
☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table
or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CFR)
b. Specification sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & documents(s))
10. ☐ 37 CFR 3.73(b) Statement
☒ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach from PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/844,111
Prior application information: Examiner: M. Bahar Group/Art Unit: 1614

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or ☐ Correspondence address below
Name

Name (Print/Type)	Susan K. Lehnhardt	Registration No. (Attorney/Agent)	33,943
Signature	<i>Susan Lehnhardt</i>	Date	October 11, 2001

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<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2001</h2> <p style="margin: 0;">Patent fees are subject to annual revision.</p>		Complete if Known	
		Application Number	TO BE ASSIGNED
		Filing Date	CONCURRENT
		First Named Inventor	PASTERNAK, ET AL.
		Examiner Name	TO BE ASSIGNED
TOTAL AMOUNT OF PAYMENT	(\$) 505.00	Group/Art Unit	TO BE ASSIGNED
		Attorney Docket No.	830010-2002.2

<h3 style="text-align: center;">METHOD OF PAYMENT</h3> <p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <table border="1" style="width: 100%; margin: 10px 0;"> <tr> <td style="width: 50%;">Deposit Account Name Frommer Lawrence & Haug LLP</td> <td style="width: 50%;">Deposit Account Number 50-0320</td> </tr> </table> <p><input checked="" type="checkbox"/> Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p> <h3 style="text-align: center;">FEE CALCULATION</h3> <h4>1. BASIC FILING FEE</h4> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td>\$370.00</td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="5" style="text-align: right;">SUBTOTAL (1)</td> <td>\$370.00</td> </tr> </tbody> </table> <h4>2. EXTRA CLAIM FEES</h4> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Total Claims</td> <td style="width: 10%; text-align: center;">35</td> <td style="width: 10%;">-20** =</td> <td style="width: 10%; text-align: center;">15</td> <td style="width: 10%;">X</td> <td style="width: 10%; text-align: center;">135.00</td> <td style="width: 10%;">=</td> <td style="width: 10%; text-align: center;">135.00</td> </tr> <tr> <td>Ind. Claims</td> <td></td> <td>-3** =</td> <td></td> <td>X</td> <td></td> <td>=</td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td>X</td> <td></td> <td>=</td> <td></td> </tr> </table> <p style="font-size: small;">** or number previously paid, if greater; for reissues, see below</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>109</td><td>84</td><td>209</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr> <td colspan="5" style="text-align: right;">SUBTOTAL (2)</td> <td>(\$135.00)</td> </tr> </tbody> </table>	Deposit Account Name Frommer Lawrence & Haug LLP	Deposit Account Number 50-0320	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee	\$370.00	106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		SUBTOTAL (1)					\$370.00	Total Claims	35	-20** =	15	X	135.00	=	135.00	Ind. 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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Susan K. Lehnhardt			Reg. Number	33,943
Signature	<i>Susan Lehnhardt</i>			Date	Oct. 11, 2001
				Deposit Account	50-0320

WARNING: Information on this form may become public. credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Applicant(s) : Gavril W. PASTERNAK, et al.
Serial No. : To Be Assigned (Divisional of Appln. Serial No. 09/844,111)
For : TOPICAL ANESTHETIC/OPIOID FORMULATIONS
AND USES THEREOF
Filed : CONCURRENT

745 Fifth Avenue, New York, NY 10151

Date of Deposit: October 11, 2001 via "Express Mail" # EL861104765US

I hereby certify that a Utility Patent Application and related documents for the above-referenced application are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Charles B. Jackson

(Typed or printed name of person mailing paper or fee)

Charles B. Jackson

(Signature of person mailing paper or fee)